TRIPS Agreement

4020. SHRI S.M. KRISHNA: Will the Minister of COMMERCE be pleased to state:

(a) the details of conditions/obligations to be fulfilled by a country under Article 70.8 and 70.9 of the TRIPs agreement;

(b) whether it is a fact that US has placed India and nine other countries on a priority watch list for failure to provide Intellectual Property Rights (IPR) protection as reported in the Hindustan Times dated the 1st May, 1997;

(c) if so, the details thereof and the extent of India's failure on that account;

(d) the steps taken to correct the picture; and

(e) the progress of Indian Patents Act and the amendments proposed to save India's interest!

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE (SHRI BOLLA BULI RAMAIAH): (a) As per provisions contained in Article 70.8 and 70.9 of the TRIPS Agreement of the WTO Agreement, .a member country who did not provide for product patenting in the areas of pharmaceuticals and agro-chemicals as on the date of coming into force of the WTO Agreement, has to provide a means for receiving product patent applications in these areas and on fulfillment of certain conditions, grant of exclusive marketing rights.

(b) to (d) India has been placed on the priority watch list by United States for the alleged failure of lack of 'legal basis' for filing of applications for product patents in the fields of pharmaceuticals and agro-chemicals and of India's *industrial* property laws falling well short of providing adequate and effective protection, especially a modern patent and trademark legislation.

United States has taken up the matter of alleged lack of 'legal basis' for filing of applications in India with the WTO Dispute Settlement Body The island taken by the United States is being contested.

(e) Presently, there is no proposal under consideration of government to amend the Patents Act, 1970.

Replacement of Premium Indian Tea with CTC Tea

4021. SHRIMATI RENUKA CHOWDHURY: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that the premium Indian tea is being replaced to CTC tea from Sri Lanka and Kenya in the international market;

(b) if so, whether any study has been made as to the reasons leading to this change of habits of foreign tea consumers; and

(c) steps proposed to be taken to push the sale of Indian premium tea in the foreign markets?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE (SHRI BOLLA BULI RAMAIAH): (a) and (b) With the rapid growth of international market for value added tea products like tea bags, which essentially require usage of cheaper varieties of CTC teas, Indian CTC teas which are, costlier, on account of their quality, face stiff competition from CTC teas from Kenya which are available at cheaper rates. Other factor favouring Kenyan CTC teas in the European market, is the geographical proximity and hence less sailing time. Sri Lanka, however, is a predominant producer of orthodox teas.

(c) Government and the Tea Board have been analysing country-wise exports of tea giving special attention to areas offering potential. Tea Board also acts to remove bottlenecks in exports to individual markets whenever these are noticed.

Other steps taken to increase exports of Indian tea include (i) participation in major trade fairs/exhibitions abroad; (ii)